

**IN THE CLAIMS:** See Listing of Claims attached hereto which will replace all prior versions of claims in the application.

Claim 27: Amended

Claims 28-32: New

Claims 1-26: Withdrawn from consideration

### **R E M A R K S**

Responsive to the Office action, a Restriction Requirement, dated June 7, 2006, the applicants elect, with traverse, to prosecute the invention of Group VII, drawn to the use of the protein of SEQ ID No. 13.

The Office may withdraw the non-elected subject matter without prejudice to their rejoinder during later examination and/or prosecution in a divisional application.

The Applicants respectfully submit that by merely withdrawing the non-elected subject matter pending notification of allowable subject matter, the Applicants distinctly and affirmatively identify subject matter which they assert, upon examination will be found a part of the claimed invention. The Applicants reassert their right to rejoin non-elected claims upon the identification of allowable subject matter.

With the instant Response, the applicants amend Claim 27 to conform to U.S. Patent parlance and add new claims 28-32 to better define the subject matter identified in Restriction Group VII.

\* \* \* \* \*

Accordingly, entry of the present amendment and election into the record of this application, reconsideration of all grounds of objection and rejection, withdrawal thereof, and passage of this application to issue are all hereby respectfully solicited.

It should be apparent that the undersigned attorney has made an earnest effort to place this application into condition for immediate allowance. If he can be of assistance to the Examiner in the elimination of any possibly-outstanding insignificant impediment to an immediate allowance, the Examiner is respectfully invited to call him at his below-listed number for such purpose.

Allowance is solicited.

Respectfully submitted,

THE FIRM OF HUESCHEN AND SAGE

By:   
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Enclosure: Listing of Claims and Postal Card Receipt

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**THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY FURTHER OR ADDITIONAL FEES WHICH MAY BE REQUIRED (DUE TO OMISSION, DEFICIENCY, OR OTHERWISE), OR TO CREDIT ANY OVERPAYMENT, TO DEPOSIT ACCOUNT NO. 08,3220.**